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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/801,360	03/16/2004		217 P 961

26965
 MATTHEW J. GRYZLO
 311 S. WACKER DRIVE
 53RD FLOOR
 CHICAGO, IL 60606-6622



CONFIRMATION NO. 2116

FORMALITIES LETTER



OC000000012836027

Date Mailed: 06/01/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment; a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$302 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1202 for a Large Entity

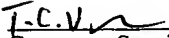
07/26/2004 MAHMED1 00000010 10801360

- | | | |
|---------------------------------------------|------------|-----------|
| • \$770 Statutory basic filing fee. | 01 FC:1001 | 770.00 OP |
| • \$130 Late oath or declaration Surcharge. | 02 FC:1051 | 130.00 OP |
| | 03 FC:1201 | 86.00 OP |
| | 04 FC:1202 | 216.00 OP |

- Total additional claim fee(s) for this application is **\$302**
 - **\$86** for **1** independent claims over 3.
 - **\$216** for **12** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket No. 217 P 961

PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application of:)
ERICH J. SCHLOSSER, et al.) Examiner: Unassigned
)
Application No.: 10/801,360) Group Art Unit: 3749
Confirmation No.: 2116)
Filed: March 16, 2004)
)
For: OUTDOOR GAS FIREPLACE)

RESPONSE TO NOTICE TO FILE MISSING PARTS

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

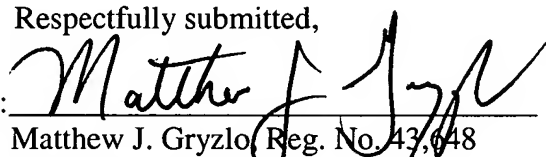
In response to the Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004, Applicants enclose the following:

1. Copy of Notice to File Missing Parts;
2. Executed Declaration and Power of Attorney; and
3. Check in the amount of \$1,202.00 in payment of the late declaration surcharge and the filing fee.

You are hereby authorized to debit or credit our Deposit Account No. 23-0280 for payment deficiencies or overpayments with regard to the above-identified application.

Respectfully submitted,

By:



Matthew J. Gryzlo, Reg. No. 43,648

Customer No. 26965

Wallenstein Wagner & Rockey, Ltd.

311 So. Wacker Drive – 53rd Floor

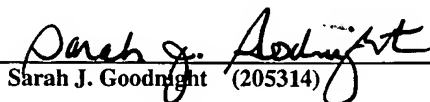
Chicago, IL 60606

(312) 554-3300

Dated: July 20, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service, with first class postage prepaid, in an envelope addressed to: MAIL STOP MISSING PARTS, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 20, 2004.


Sarah J. Goodnight (205314)